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1                   IN THE UNITED STATES DISTRICT COURT  
2                   FOR THE DISTRICT OF NEBRASKA  
3  
4   NELSON LARIOS, ET AL,  
5                   Plaintiff,  
6                   vs.   No. 8:17-CV-00031  
7  
8   CHADRON STATE COLLEGE,  
9                   Defendants.  
10 -----  
11  
12                   VIDEOTAPED DEPOSITION OF  
13                   LISSETTE ROOHBAKHSH  
14  
15                   February 8, 2018  
16                   11:46 a.m.  
17  
18                   350 Calle Principal, Salon 201  
19                   Monterey, California  
20  
21  
22   ATKINSON-BAKER, INC.  
23   1-800-288-3376  
24   COURT REPORTER:   YVETTE GALLARDO, CSR-12889  
25   FILE NO.: AC00851

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| <p>1 APPEARANCES OF COUNSEL</p> <p>2</p> <p>3 FOR PLAINTIFFS:</p> <p>4 ROMANUCCI &amp; BLANDIN, LLC</p> <p>5 BY: Martin D. Gould, Esq.</p> <p>6 321 N. Clark St., Suite 900</p> <p>7 Chicago, Illinois 60654</p> <p>8 888.458.1145</p> <p>9 Email: Mgould@rblaw.net</p> <p>10</p> <p>11 FOR DEFENDANTS:</p> <p>12 JOHNSON &amp; TABOR, LLP</p> <p>13 BY: Thomas E. Johnson, Esq.</p> <p>14 11932 Harbor St., Suite 101</p> <p>15 Omaha, Nebraska 68144</p> <p>16 Phone: 402.344.0500</p> <p>17</p> <p>18 ALSO PRESENT:</p> <p>19 Videographer - Christopher Throm</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p> <p style="text-align: right;">Page 2</p> | <p>1 INDEX TO EXHIBITS</p> <p>2</p> <p>3 EXH. 509 - Residence hall contract.....48</p> <p>4 EXH. 510 - Residence hall contract.....49</p> <p>5 EXH. 511 - Residence hall contract.....51</p> <p>6</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p> <p style="text-align: right;">Page 4</p>   |
| <p>1 INDEX OF EXAMINATION</p> <p>2 LISSETTE ROOHBAKHSH</p> <p>3 By Mr. Johnson.....5</p> <p>4 By Mr. Gould.....74</p> <p>5 COURT REPORTER'S CERTIFICATE.....78</p> <p>6</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15 -oOo-</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p> <p style="text-align: right;">Page 3</p>  | <p>1 VIDEOTAPED DEPOSITION OF 12:09:19</p> <p>2 LISSETTE ROOHBAKHSH 12:09:19</p> <p>3 February 8, 2018 12:09:19</p> <p>4</p> <p>5 THE VIDEOGRAPHER: Good morning, ladies 12:09:19</p> <p>6 and gentlemen. My name is Christopher Throm, your 12:09:19</p> <p>7 videographer. And I represent Atkinson-Baker in 12:09:19</p> <p>8 Glendale, California. 12:09:19</p> <p>9 I'm not financially interested in this 12:09:19</p> <p>10 action, nor am I a relative or an employee of any 12:09:19</p> <p>11 of the attorneys or any of the parties. Today's 12:09:19</p> <p>12 date is February 8th, 2018, and the time is 12:09:19</p> <p>13 12:08 p.m. 12:09:19</p> <p>14 This deposition is taking place at the 12:09:19</p> <p>15 Monterey Marriott, 350 Calle Principal, Monterey, 12:09:19</p> <p>16 California 93940. 12:09:19</p> <p>17 This is case No. 8:17-CV-00031, entitled 12:09:19</p> <p>18 Larios versus Chadron State College. The deponent 12:09:19</p> <p>19 is Lissette Roohbakhsh. This deposition is taken 12:09:19</p> <p>20 on behalf of the defendant. Our court reporter is 12:09:19</p> <p>21 Yvette Gallardo, from Atkinson-Baker. 12:09:19</p> <p>22 Counsel, now please introduce yourself, 12:09:19</p> <p>23 starting with the questioning attorney. 12:09:19</p> <p>24 MR. JOHNSON: My name is Thomas E. Johnson. 12:09:19</p> <p>25 I'm with the firm of Johnson &amp; Tabor, LLC, 11932 12:09:19</p> <p style="text-align: right;">Page 5</p> |

2 (Pages 2 to 5)

**Lissette Roohbakhsh**  
**February 8, 2018**

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|--|--|
| 1 Harbor Street, Suite 101, Omaha, Nebraska 68144. 12:09:19            | 1 A. 33 years. 12:12:13  |
| 2 I am counsel for the Chadron State College and 12:09:19              | 2 <b>Q. When and where were you born?</b> 12:12:17                     |
| 3 Nebraska State College System, together with 12:09:19                | 3 A. El Salvador, Central America. 12:12:21                            |
| 4 co-counsel Baird Holm, LLP, et al, in Omaha, 12:09:19                | 4 <b>Q. What year and date?</b> 12:12:23                               |
| 5 Nebraska. 12:09:19   | 5 A. [REDACTED] 12:12:27   |
| 6 MR. GOULD: I am Martin Gould from 12:09:19                           | 6 <b>Q. Believe it or not, I had just graduated</b> 12:12:30           |
| 7 Romanucci & Blandin, on behalf of plaintiffs in 12:09:19             | 7 <b>from high school then. You're very young indeed.</b> 12:12:37     |
| 8 this case. 12:09:19  | 8 <b>As you heard in the introductions, my name is Tom</b> 12:12:42    |
| 9 THE VIDEOGRAPHER: And would the court 12:09:19                       | 9 <b>Johnson. I'm a lawyer from Omaha, Nebraska. I</b> 12:12:45        |
| 10 reporter please swear in the witness. 12:10:23                      | 10 <b>represent the Nebraska State College System,</b> 12:12:49        |
| 11 (The witness is sworn.) 12:10:38                                    | 11 <b>together with my co-counsel in this case. I am here</b> 12:12:53 |
| 12 LISSETTE ROOHBAKHSH, 12:10:38                                       | 12 <b>to ask you questions today that are directly or</b> 12:12:55     |
| 13 having been first duly sworn, testified as follows: 12:10:38        | 13 <b>indirectly relevant to the issues raised in a</b> 12:12:59       |
| 14 EXAMINATION 12:10:38  | 14 <b>lawsuit known as Larios versus Chadron State</b> 12:13:02        |
| 15 BY MR. JOHNSON: 12:10:38  | 15 <b>College that's filed in the United States District</b> 12:13:05  |
| 16 <b>Q. Good afternoon.</b> 12:10:38                                  | 16 <b>Court for the District of Nebraska. You're aware</b> 12:13:08    |
| 17 A. Good afternoon. 12:10:38   | 17 <b>of the general purpose of today's deposition?</b> 12:13:11       |
| 18 <b>Q. Would you state your name for the record,</b> 12:10:38        | 18 A. Yes, sir. 12:13:14   |
| 19 <b>please, and spell your name for the court reporter.</b> 12:10:40 | 19 <b>Q. And I assume that you are represented</b> 12:13:15            |
| 20 A. Yes, Lissette Larios Roohbakhsh. Lissette 12:10:41               | 20 <b>today by Mr. Gould as your legal counsel?</b> 12:13:16           |
| 21 is L-I-S-S-E-T-T-E; Larios, L-A-R-I-O-S; Roohbakhsh, 12:10:47       | 21 A. Yes, sir. 12:13:19   |
| 22 R-O-O-H-B-A-K-H-S-H. 12:10:53                                       | 22 <b>Q. And I assume that he has helped you to</b> 12:13:19           |
| 23 <b>Q. Thank you very much.</b> 12:10:58                             | 23 <b>prepare for this deposition, and I certainly don't</b> 12:13:21  |
| 24 A. You're welcome. 12:10:59   | 24 <b>want to hear anything about what you and Mr. Gould</b> 12:13:24  |
| 25 <b>Q. What is your current address?</b> 12:10:59                    | 25 <b>have talked about, because it's privileged. But I</b> 12:13:28   |
| Page 6   | Page 8   |
| 1 A. It's P.O. Box 343, Monterey, California 12:11:01                  | 1 <b>would like to know whether anyone has shown you any</b> 12:13:30  |
| 2 93942. 12:11:08  | 2 <b>documents to help you prepare for your deposition</b> 12:13:33    |
| 3 <b>Q. What is the street address of your</b> 12:11:09                | 3 <b>today?</b> 12:13:36   |
| 4 <b>residence.</b> 12:11:11   | 4 A. No. 12:13:36  |
| 5 A. It's [REDACTED], Monterey, 12:11:12                               | 5 <b>Q. Have you reviewed any e-mails?</b> 12:13:41                    |
| 6 California 93940. 12:11:16   | 6 A. No, sir. It's -- talking about this 12:13:43                      |
| 7 <b>Q. What was the name of the Avenue?</b> 12:11:19                  | 7 <b>matter is very difficult for me, so I will do my</b> 12:13:52     |
| 8 A. Virgin. 12:11:21  | 8 <b>best --</b> 12:13:57  |
| 9 <b>Q. How long have you lived at that address?</b> 12:11:25          | 9 <b>Q. All right.</b> 12:13:58  |
| 10 A. I don't remember how long. It's been a 12:11:28                  | 10 A. -- to my knowledge. 12:13:59                                     |
| 11 long, yeah, while. 12:11:33   | 11 <b>Q. I understand that.</b> 12:14:00                               |
| 12 <b>Q. What was your address -- residential</b> 12:11:35             | 12 A. Yeah. 12:14:01   |
| 13 <b>address prior to the current address?</b> 12:11:36               | 13 <b>Q. And to be honest with you, it's also</b> 12:14:01             |
| 14 A. Prior to -- you know, I don't remember 12:11:41                  | 14 <b>difficult for me.</b> 12:14:03                                   |
| 15 numbers and address. 12:11:47                                       | 15 A. Uh-hum. 12:14:03   |
| 16 <b>Q. All right. How about a street name?</b> 12:11:49              | 16 <b>Q. I'm a parent. I'm a grandparent.</b> 12:14:05                 |
| 17 A. Peninsula Point Drive. 12:11:51                                  | 17 A. Uh-hum. 12:14:08   |
| 18 <b>Q. And what township or town is Peninsula</b> 12:11:53           | 18 <b>Q. I understand that we are here to talk</b> 12:14:08            |
| 19 <b>Point Drive?</b> 12:11:58  | 19 <b>about what's essentially every parent's nightmare,</b> 12:14:10  |
| 20 A. Seaside, California. 12:11:58                                    | 20 <b>and I don't mean to be disrespectful, and I don't</b> 12:14:15   |
| 21 <b>Q. And in what city or township is your</b> 12:12:00             | 21 <b>mean to pry into your life unnecessarily, but</b> 12:14:18       |
| 22 <b>current address?</b> 12:12:03                                    | 22 <b>there are some questions that I have to ask you.</b> 12:14:20    |
| 23 A. Monterey. 12:12:04   | 23 <b>If you want to take a break at any time in this</b> 12:14:23     |
| 24 <b>Q. How long have you lived in this general</b> 12:12:06          | 24 <b>deposition for any reason, you let me know and</b> 12:14:26      |
| 25 <b>area?</b> 12:12:12   | 25 <b>we'll do that.</b> 12:14:28                                      |
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| <p>1 A. No, I'm not. 12:18:20</p> <p>2 <b>Q. Have you been employed in the past?</b> 12:18:21</p> <p>3 A. Yes. 12:18:22</p> <p>4 <b>Q. When was the last time you were employed?</b> 12:18:23</p> <p>5 A. Who? Merrill Lynch. 12:18:28</p> <p>6 <b>Q. When was that?</b> 12:18:29</p> <p>7 A. Again, I -- some years ago. That was my 12:18:31</p> <p>8 last employer. 12:18:36</p> <p>9 <b>Q. Did you take a job right after you</b> 12:18:38</p> <p>10 <b>completed your education?</b> 12:18:41</p> <p>11 A. Yes. 12:18:42</p> <p>12 <b>Q. Where was that?</b> 12:18:43</p> <p>13 A. I worked for the Hyatt Corporation. 12:18:44</p> <p>14 <b>Q. Where was that located?</b> 12:18:49</p> <p>15 A. Carmel, California. 12:18:51</p> <p>16 <b>Q. What kind of work did you do for Hyatt?</b> 12:18:52</p> <p>17 A. I did a managing job and server job. 12:18:55</p> <p>18 <b>Q. Okay.</b> 12:19:03</p> <p>19 A. Waitress. 12:19:04</p> <p>20 <b>Q. All right. What was your next job after</b> 12:19:04</p> <p>21 <b>the Hyatt job?</b> 12:19:05</p> <p>22 A. What was what? I'm sorry. 12:19:07</p> <p>23 <b>Q. Your next job after the Hyatt job?</b> 12:19:08</p> <p>24 A. Merrill Lynch. 12:19:11</p> <p>25 <b>Q. What did you do at Merrill Lynch?</b> 12:19:12</p> <p style="text-align: right;">Page 14</p>   | <p>1 <b>correct?</b> 12:20:02</p> <p>2 <b>A. Correct.</b> 12:20:02</p> <p>3 <b>Q. How old is Emerson today?</b> 12:20:02</p> <p>4 A. 27 years old. 12:20:04</p> <p>5 <b>Q. Is Emerson employed?</b> 12:20:06</p> <p>6 A. Yes, he is. 12:20:08</p> <p>7 <b>Q. Where does he work?</b> 12:20:08</p> <p>8 A. For the City of Monterey. 12:20:09</p> <p>9 <b>Q. In what capacity?</b> 12:20:11</p> <p>10 A. He -- I can't give you the exact title. 12:20:13</p> <p>11 <b>Q. Can you tell me generally what he does?</b> 12:20:22</p> <p>12 A. He works for the parking enforcement. 12:20:24</p> <p>13 <b>Q. Okay. About how long has he held that</b> 12:20:27</p> <p>14 <b>job?</b> 12:20:32</p> <p>15 A. I don't know. 12:20:32</p> <p>16 <b>Q. Okay. It's my understanding that Emerson</b> 12:20:32</p> <p>17 <b>currently lives with his father. Is that your</b> 12:20:36</p> <p>18 <b>understanding?</b> 12:20:37</p> <p>19 A. Yes, sir. 12:20:38</p> <p>20 <b>Q. All right. Has Emerson ever been married?</b> 12:20:39</p> <p>21 A. No. 12:20:41</p> <p>22 <b>Q. All right. What was Fatima's date of</b> 12:20:42</p> <p>23 <b>birth?</b> 12:20:50</p> <p>24 A. [REDACTED] 12:20:50</p> <p>25 <b>Q. Were you working when she was born?</b> 12:20:59</p> <p style="text-align: right;">Page 16</p>   |
| <p>1 A. I was an executive assistant. 12:19:15</p> <p>2 <b>Q. Okay.</b> 12:19:20</p> <p>3 A. Personal assistant. 12:19:22</p> <p>4 <b>Q. How long did you work at that?</b> 12:19:23</p> <p>5 A. Eight years. 12:19:25</p> <p>6 <b>Q. And was that then your last job?</b> 12:19:27</p> <p>7 A. Yes, sir. 12:19:28</p> <p>8 <b>Q. So when you -- when you retired from</b> 12:19:29</p> <p>9 <b>the work force, you were employed as an executive</b> 12:19:31</p> <p>10 <b>assistant, and you have not been working since</b> 12:19:34</p> <p>11 <b>that time?</b> 12:19:36</p> <p>12 A. Correct. 12:19:36</p> <p>13 <b>Q. All right. My understanding is that you</b> 12:19:37</p> <p>14 <b>were previously married to Nelson Larios; is that</b> 12:19:40</p> <p>15 <b>correct?</b> 12:19:43</p> <p>16 A. That's correct. 12:19:43</p> <p>17 <b>Q. When were you and Nelson married?</b> 12:19:44</p> <p>18 A. When? 12:19:47</p> <p>19 <b>Q. Uh-hum.</b> 12:19:47</p> <p>20 A. 1988. 12:19:49</p> <p>21 <b>Q. And where did that marriage occur?</b> 12:19:50</p> <p>22 A. Monterey, California. 12:19:52</p> <p>23 <b>Q. All right. Now, my understanding is that</b> 12:19:53</p> <p>24 <b>two children were born of that marriage: The elder</b> 12:19:56</p> <p>25 <b>is Emerson, and the younger was Fatima; is that</b> 12:19:59</p> <p style="text-align: right;">Page 15</p> | <p>1 A. Yes, sir. 12:21:01</p> <p>2 <b>Q. How long after she was born did you quit</b> 12:21:01</p> <p>3 <b>working?</b> 12:21:04</p> <p>4 A. I'm sorry. Repeat that question again. 12:21:11</p> <p>5 <b>Q. Yeah. At -- at approximately what age of</b> 12:21:13</p> <p>6 <b>Fatima's did you quit working? How old was she</b> 12:21:17</p> <p>7 <b>when you stopped working?</b> 12:21:21</p> <p>8 A. I don't remember. 12:21:25</p> <p>9 <b>Q. Okay. Was she in grade school?</b> 12:21:27</p> <p>10 A. Yes. 12:21:33</p> <p>11 <b>Q. So after that, you were a stay-at-home</b> 12:21:34</p> <p>12 <b>mom?</b> 12:21:37</p> <p>13 A. Yes. 12:21:37</p> <p>14 <b>Q. And you were living in the household,</b> 12:21:38</p> <p>15 <b>Emerson was living there, Nelson was living there,</b> 12:21:41</p> <p>16 <b>and Fatima was living there?</b> 12:21:44</p> <p>17 A. Correct. 12:21:45</p> <p>18 <b>Q. All right. And did that remain the case</b> 12:21:45</p> <p>19 <b>-- that is, was that the makeup of the household</b> 12:21:49</p> <p>20 <b>until Fatima left for college?</b> 12:21:51</p> <p>21 A. No. 12:21:53</p> <p>22 <b>Q. Did Emerson leave home?</b> 12:21:58</p> <p>23 A. He left home for a couple of -- for a 12:22:01</p> <p>24 semester for college. 12:22:08</p> <p>25 <b>Q. Okay. And was that right after he</b> 12:22:09</p> <p style="text-align: right;">Page 17</p> |

5 (Pages 14 to 17)

**Lissette Roohbakhsh**  
**February 8, 2018**

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|---|---|
| <p>1 graduated from high school? 12:22:11</p> <p>2 A. Yes. 12:22:12</p> <p>3 Q. Where did he go to college? 12:22:13</p> <p>4 A. Santa Rosa Community College. 12:22:15</p> <p>5 Q. And did he then come back after a 12:22:18</p> <p>6 semester? 12:22:20</p> <p>7 A. He did, yes. 12:22:21</p> <p>8 Q. Did he live at home after that? 12:22:22</p> <p>9 A. Yes. 12:22:23</p> <p>10 Q. Okay. My understanding is that Fatima 12:22:24</p> <p>11 graduated from Santa Catalina High School in 12:22:32</p> <p>12 2013; is that correct? 12:22:36</p> <p>13 A. Correct. 12:22:38</p> <p>14 Q. And I also understand that in the Fall 12:22:43</p> <p>15 of 2013 she left Monterey to attend Austin Peay 12:22:45</p> <p>16 University in Clarksville, Tennessee; is that 12:22:50</p> <p>17 correct? 12:22:52</p> <p>18 A. Yes, sir. 12:22:52</p> <p>19 Q. All right. Can you tell me a little bit 12:22:53</p> <p>20 about the process of deciding that Fatima would 12:22:55</p> <p>21 attend Austin Peay in Clarksville? 12:22:59</p> <p>22 A. It was all because of her sports. 12:23:03</p> <p>23 Q. Uh-hum. 12:23:09</p> <p>24 A. She always wanted to play for a Division 12:23:10</p> <p>25 One softball team. 12:23:15</p> <p style="text-align: right;">Page 18</p>   | <p>1 a couple. 12:24:14</p> <p>2 A. I don't remember. It's so many girls, you 12:24:15</p> <p>3 know, that I -- it's hard for me to keep track of 12:24:17</p> <p>4 everyone's name. 12:24:20</p> <p>5 Q. Okay. 12:24:21</p> <p>6 A. Yes. 12:24:21</p> <p>7 Q. Other than the fact that she had friends 12:24:23</p> <p>8 attending school in Tennessee, can you think of any 12:24:25</p> <p>9 other factors that led to the decision to go to 12:24:27</p> <p>10 Austin Peay? 12:24:32</p> <p>11 MR. GOULD: Other than the ones mentioned 12:24:38</p> <p>12 earlier? 12:24:39</p> <p>13 Q. (By Mr. Johnson) Well, you mentioned that 12:24:39</p> <p>14 it was a Division One school and you mentioned that 12:24:40</p> <p>15 her friends were going to school in Tennessee. 12:24:42</p> <p>16 Those are the only things I can recall that you 12:24:44</p> <p>17 mentioned. 12:24:46</p> <p>18 A. Uh-hum. 12:24:46</p> <p>19 Q. Were there any other factors that you can 12:24:47</p> <p>20 think of? 12:24:49</p> <p>21 A. No, sir. 12:24:49</p> <p>22 Q. Okay. 12:24:51</p> <p>23 A. Not at this time. 12:24:51</p> <p>24 Q. All right. It's my understanding that some 12:24:52</p> <p>25 time during her high school career, Fatima started 12:25:04</p> <p style="text-align: right;">Page 20</p>   |
| <p>1 Q Okay. Austin Peay is a Division One 12:23:17</p> <p>2 school. Obviously they recruited her to play 12:23:20</p> <p>3 softball? 12:23:23</p> <p>4 A. Yes, sir. 12:23:23</p> <p>5 Q. Was she recruited by other Division One 12:23:23</p> <p>6 schools? 12:23:28</p> <p>7 A. You know, I don't remember exactly, but 12:23:30</p> <p>8 -- yeah, I don't remember. 12:23:33</p> <p>9 Q. All right. 12:23:35</p> <p>10 A. Uh-hum. 12:23:36</p> <p>11 Q. What was it about Austin Peay that 12:23:36</p> <p>12 attracted her, if you know? 12:23:40</p> <p>13 A. She had a couple of friends going there 12:23:45</p> <p>14 from Monterey, from here, not -- not as specific 12:23:50</p> <p>15 to that University, but close by to the University 12:23:55</p> <p>16 in Tennessee. So they were kind of close to each 12:24:00</p> <p>17 other. 12:24:02</p> <p>18 Q. I understand from other depositions that, 12:24:02</p> <p>19 I believe one of those persons was -- is named 12:24:05</p> <p>20 Annie? 12:24:08</p> <p>21 A. That is correct. 12:24:09</p> <p>22 Q. And then Annie attended the University of 12:24:09</p> <p>23 Tennessee at Knoxville? 12:24:11</p> <p>24 A. Yes, sir. 12:24:13</p> <p>25 Q. Who is the other one? You said there were 12:24:13</p> <p style="text-align: right;">Page 19</p> | <p>1 dating a young man by the name of Brandon Finona 12:25:07</p> <p>2 Gardener. Is that true to your knowledge? 12:25:10</p> <p>3 A. Yes, sir. 12:25:14</p> <p>4 Q. All right. If I just use the name Brandon 12:25:14</p> <p>5 rather than the full name, can we agree that that's 12:25:17</p> <p>6 who I'm talking about? 12:25:19</p> <p>7 A. Yes, sir. 12:25:20</p> <p>8 Q. To your knowledge, when did Fatima first 12:25:22</p> <p>9 meet Brandon? 12:25:24</p> <p>10 A. Senior school -- senior year. 12:25:29</p> <p>11 Q. Her senior year? 12:25:32</p> <p>12 A. Yeah, her senior year. 12:25:33</p> <p>13 Q. How did you become aware that she had met 12:25:35</p> <p>14 Brandon? 12:25:37</p> <p>15 A. Seeing him a couple of times on her games, 12:25:44</p> <p>16 you know, and one time she introduced him to me, 12:25:50</p> <p>17 and she told me that she wanted to, you know, be 12:25:57</p> <p>18 friends with him. And I guess they just -- yeah, 12:26:05</p> <p>19 that. 12:26:10</p> <p>20 Q. I'm -- I'm not a youngster anymore. As 12:26:10</p> <p>21 a matter of fact I'm going to be 70 in about a week 12:26:15</p> <p>22 and a half. And, you know, when I was in high 12:26:17</p> <p>23 school we did what we called dating; we had dates. 12:26:21</p> <p>24 A guy picked up the girl and they went some place 12:26:25</p> <p>25 and he brought her home. I don't know if that 12:26:27</p> <p style="text-align: right;">Page 21</p> |

6 (Pages 18 to 21)

**Lissette Roohbakhsh**  
**February 8, 2018**

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|  |  |
|--|--|
| <p>1 call you back? Is that generally the process? 12:44:51</p> <p>2 A. Yes. 12:44:53</p> <p>3 <b>Q. Did you also talk with her on a nearly 12:44:56</b></p> <p>4 <b>daily basis when she was at school in Chadron? 12:45:05</b></p> <p>5 <b>A. Yes, sir. 12:45:09</b></p> <p>6 <b>Q. Were there any occasions where she was 12:45:09</b></p> <p>7 <b>in Chadron when you attempted to reach her and 12:45:11</b></p> <p>8 <b>were unable to contact her for some period of 12:45:14</b></p> <p>9 <b>time that caused you concern? 12:45:16</b></p> <p>10 A. Yes, sir. 12:45:17</p> <p>11 <b>Q. When did that happen? 12:45:21</b></p> <p>12 A. I can't give you a specific date, but it 12:45:22</p> <p>13 was just one date, and for the whole day; and at 12:45:27</p> <p>14 the end of the day she called me back and she had 12:45:32</p> <p>15 told me that she's been in a tournament all day 12:45:35</p> <p>16 long. 12:45:40</p> <p>17 <b>Q. Okay. So it would be of concern to you 12:45:40</b></p> <p>18 <b>if you called her and she didn't call you back in 12:45:44</b></p> <p>19 <b>12 hours, or -- I mean, how long would have to go 12:45:47</b></p> <p>20 <b>by before it would be of concern to you? 12:45:50</b></p> <p>21 A. Throughout the day, maybe eight to 12 12:45:56</p> <p>22 hours. 12:45:59</p> <p>23 <b>Q. Fatima ultimately became dissatisfied or 12:45:59</b></p> <p>24 <b>unhappy, or something, with Austin Peay University 12:46:17</b></p> <p>25 <b>and started looking to transfer; is that correct? 12:46:21</b></p> <p style="text-align: right;">Page 38</p> | <p>1 A. Yes. 12:47:51</p> <p>2 <b>Q. All right. So you -- what date did you 12:47:57</b></p> <p>3 <b>and Mickey marry? 12:48:02</b></p> <p>4 A. I don't remember when we got married. 12:48:04</p> <p>5 <b>Q. Okay. Was it in November of 2013? 12:48:07</b></p> <p>6 A. Maybe. 12:48:11</p> <p>7 <b>Q. I think I was told this morning it was 12:48:13</b></p> <p>8 <b>November 12th of 2013? 12:48:16</b></p> <p>9 A. He probably have better memory than I do. 12:48:18</p> <p>10 <b>Q. All right. So when you called Fatima to 12:48:20</b></p> <p>11 <b>tell her that you were pregnant, what was her 12:48:30</b></p> <p>12 <b>response? 12:48:35</b></p> <p>13 A. She was very happy. 12:48:36</p> <p>14 <b>Q. Okay. And excuse me, but when you made 12:48:38</b></p> <p>15 <b>that call to her, were you and Mickey married yet? 12:48:43</b></p> <p>16 A. I don't remember if it was before or 12:48:48</p> <p>17 after. 12:48:56</p> <p>18 <b>Q. Did you tell Fatima that you and Mickey 12:48:57</b></p> <p>19 <b>were going to be married? 12:49:00</b></p> <p>20 A. Yes. 12:49:02</p> <p>21 <b>Q. Did she ask to attend the wedding? 12:49:04</b></p> <p>22 A. She -- I'm sorry. Repeat that. 12:49:09</p> <p>23 <b>Q. Did she ask to attend the wedding? 12:49:10</b></p> <p>24 A. Yes. 12:49:14</p> <p>25 <b>Q. And what was your response? 12:49:15</b></p> <p style="text-align: right;">Page 40</p>   |
| <p>1 MR. GOULD: Object to form. 12:46:26</p> <p>2 THE WITNESS: I can't answer that. 12:46:31</p> <p>3 <b>Q. (By Mr. Johnson) All right. At some point 12:46:32</b></p> <p>4 <b>in time, did Fatima inform you she was thinking of 12:46:33</b></p> <p>5 <b>transferring from Austin Peay to another school? 12:46:36</b></p> <p>6 <b>A. That conversation came up when my youngest 12:46:40</b></p> <p>7 <b>son was born. She told me that she wanted to come 12:46:52</b></p> <p>8 <b>home and start looking to different schools close 12:46:58</b></p> <p>9 <b>by home, because she wanted to be close to her 12:47:03</b></p> <p>10 <b>little brother, and the oldest brother. 12:47:09</b></p> <p>11 <b>Q. And the -- what was the date of birth of 12:47:13</b></p> <p>12 <b>your youngest son? 12:47:16</b></p> <p>13 A. [REDACTED]. 12:47:18</p> <p>14 <b>Q. That's Aran? 12:47:24</b></p> <p>15 A. Arian. 12:47:26</p> <p>16 <b>Q. Arian? 12:47:28</b></p> <p>17 A. Yes. 12:47:29</p> <p>18 <b>Q. And your older son is Emerson? 12:47:29</b></p> <p>19 A. Correct. 12:47:31</p> <p>20 <b>Q. All right. So, when and how did Fatima 12:47:32</b></p> <p>21 <b>find out that you were pregnant with Arian? 12:47:37</b></p> <p>22 A. When? Right after I found out. 12:47:41</p> <p>23 <b>Q. Okay. You called her? 12:47:47</b></p> <p>24 A. Yes. 12:47:49</p> <p>25 <b>Q. She was in Tennessee? 12:47:50</b></p> <p style="text-align: right;">Page 39</p>  | <p>1 A. I don't remember what I told her at that 12:49:17</p> <p>2 time. 12:49:24</p> <p>3 <b>Q. She ultimately did not attend? 12:49:25</b></p> <p>4 A. We didn't have -- we -- we didn't have a 12:49:27</p> <p>5 big wedding. Yeah. 12:49:36</p> <p>6 <b>Q. Okay. 12:49:40</b></p> <p>7 A. We had a private wedding. 12:49:40</p> <p>8 <b>Q. Okay. Did anyone attend the wedding? 12:49:43</b></p> <p>9 A. It was a private wedding. 12:49:46</p> <p>10 <b>Q. Okay. I'll let it go at that. Did Fatima 12:49:52</b></p> <p>11 <b>ask to be present when you gave birth to Arian? 12:49:55</b></p> <p>12 A. No. 12:50:01</p> <p>13 <b>Q. So Arian was born on March [REDACTED]. Fatima was 12:50:03</b></p> <p>14 <b>aware that Arian was on the way prior to that. At 12:50:08</b></p> <p>15 <b>what point in time did she say, "I'm thinking about 12:50:12</b></p> <p>16 <b>transferring to be closer"? 12:50:16</b></p> <p>17 A. When he was born. 12:50:18</p> <p>18 <b>Q. So it was after March [REDACTED]? 12:50:19</b></p> <p>19 A. Yes. 12:50:21</p> <p>20 <b>Q. All right. Did she give you any specific 12:50:22</b></p> <p>21 <b>ideas about where she was thinking of transferring 12:50:26</b></p> <p>22 <b>to? 12:50:29</b></p> <p>23 A. Yes. She gave me a list of schools that 12:50:31</p> <p>24 she would like to attend. 12:50:35</p> <p>25 <b>Q. Do you remember what schools were on that 12:50:38</b></p> <p style="text-align: right;">Page 41</p> |

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|---|---|
| <p>1 <b>it?</b> 12:58:05</p> <p>2 A. I've always been in favor of my kids' 12:58:07</p> <p>3 education. 12:58:11</p> <p>4 <b>Q. I'm not asking you that. I'm asking you 12:58:13</b></p> <p>5 <b>whether or not you would have preferred that she 12:58:16</b></p> <p>6 <b>would have attended another school other than 12:58:18</b></p> <p>7 <b>Chadron State in the Fall of 2014?</b> 12:58:20</p> <p>8 A. No, I -- 12:58:24</p> <p>9 MR. GOULD: Objection. 12:58:25</p> <p>10 THE WITNESS: -- I was happy. 12:58:25</p> <p>11 MR. GOULD: Let me just -- objection, 12:58:29</p> <p>12 asked and answered. 12:58:29</p> <p>13 <b>Q. (By Mr. Johnson) Do you know whether or 12:58:31</b></p> <p>14 <b>not Nelson was in favor of the transfer to Chadron 12:58:33</b></p> <p>15 <b>State College?</b> 12:58:37</p> <p>16 A. I don't know. 12:58:38</p> <p>17 <b>Q. Did you and he ever discuss it?</b> 12:58:39</p> <p>18 A. Yes. 12:58:42</p> <p>19 <b>Q. What was the nature of the discussion?</b> 12:58:43</p> <p>20 A. Just the parents' conversation about 12:58:46</p> <p>21 sending a kid to a college. 12:58:52</p> <p>22 <b>Q. All right. And what was said, if you 12:58:55</b></p> <p>23 <b>recall?</b> 12:58:59</p> <p>24 A. We were happy for her to go in there 12:59:00</p> <p>25 to pursue her dreams. 12:59:05</p> <p style="text-align: right;">Page 46</p> | <p>1 knew where she was. 01:00:10</p> <p>2 <b>Q. Did you talk to Nelson about where he 01:00:15</b></p> <p>3 <b>had dropped her off and moved her into, or -- 01:00:18</b></p> <p>4 A. Yes, sir. 01:00:20</p> <p>5 <b>Q. Okay. All right. 01:00:20</b></p> <p>6 <b>(Exhibit No. 509 is marked.) 01:01:05</b></p> <p>7 <b>Q. (By Mr. Johnson) Ma'am, I'd like to hand 01:01:05</b></p> <p>8 <b>you what's been marked as Exhibit No. 509, which 01:01:05</b></p> <p>9 <b>is a residence hall contract dated June 9th, 2014, 01:01:08</b></p> <p>10 <b>Chadron State College, under Fatima's name. If 01:01:18</b></p> <p>11 <b>you look at the second page of that document, on 01:01:23</b></p> <p>12 <b>the second page of the document you'll see some 01:01:45</b></p> <p>13 <b>signatures as -- does that show your signature as 01:01:46</b></p> <p>14 <b>Lisette Larios?</b> 01:01:50</p> <p>15 A. Yes. 01:01:53</p> <p>16 <b>Q. And did you sign that document, on or 01:01:53</b></p> <p>17 <b>about June 9th of 2014?</b> 01:01:55</p> <p>18 A. Yes. 01:01:58</p> <p>19 <b>Q. Is it your understanding that this was a 01:02:00</b></p> <p>20 <b>residence hall contract designating the dormitory 01:02:02</b></p> <p>21 <b>in which your daughter would be living?</b> 01:02:05</p> <p>22 A. Yes, sir. 01:02:07</p> <p>23 <b>Q. And it specifies that she would be in 01:02:08</b></p> <p>24 <b>Room 328 of Andrews Hall in a double room; correct?</b> 01:02:10</p> <p>25 A. Yes, sir. 01:02:17</p> <p style="text-align: right;">Page 48</p> |
| <p>1 <b>Q. Did it cause you any concern that she 12:59:07</b></p> <p>2 <b>was going to a college that Brandon was planning 12:59:11</b></p> <p>3 <b>to attend?</b> 12:59:14</p> <p>4 A. Not at all. 12:59:15</p> <p>5 <b>Q. All right. Who took her to school to 12:59:20</b></p> <p>6 <b>start Chadron?</b> 12:59:22</p> <p>7 A. Nelson -- 12:59:25</p> <p>8 THE COURT REPORTER: What was that? 12:59:28</p> <p>9 THE WITNESS: Nelson. Her dad. 12:59:28</p> <p>10 <b>Q. (By Mr. Johnson) Did you ever go to 12:59:28</b></p> <p>11 <b>Chadron?</b> 12:59:33</p> <p>12 A. No. 12:59:33</p> <p>13 <b>Q. You've never been there?</b> 12:59:34</p> <p>14 A. No. 12:59:35</p> <p>15 <b>Q. Okay. What was your understanding of 12:59:37</b></p> <p>16 <b>where she would live as a student at Chadron 12:59:43</b></p> <p>17 <b>State College?</b> 12:59:46</p> <p>18 A. On campus. 12:59:47</p> <p>19 <b>Q. In a dormitory?</b> 12:59:49</p> <p>20 A. Yes. 12:59:50</p> <p>21 <b>Q. Did you know which dormitory?</b> 12:59:50</p> <p>22 A. Yes, I knew at that time. 12:59:53</p> <p>23 <b>Q. And how did you know?</b> 12:59:55</p> <p>24 A. Being a mom, I needed to know where my 01:00:03</p> <p>25 girl was going to be. All right? So I -- I 01:00:05</p> <p style="text-align: right;">Page 47</p>   | <p>1 <b>Q. Did you know who her roommate was in that 01:02:17</b></p> <p>2 <b>particular unit?</b> 01:02:20</p> <p>3 A. Yes, I knew at that time. 01:02:21</p> <p>4 <b>Q. Do you remember who that was?</b> 01:02:24</p> <p>5 A. I want to remember, but I -- I don't think 01:02:33</p> <p>6 I -- that I can get it right, so I'm not going to 01:02:36</p> <p>7 guess. 01:02:38</p> <p>8 <b>Q. That's fine. That's fine. 01:02:38</b></p> <p>9 MR. JOHNSON: Would you mark this as 510, 01:02:44</p> <p>10 please. 01:02:55</p> <p>11 (Exhibit No. 510 is marked.) 01:02:56</p> <p>12 <b>Q. (By Mr. Johnson) Now I'm going to hand 01:02:56</b></p> <p>13 <b>you a similar document marked as Exhibit No. 510, 01:02:58</b></p> <p>14 <b>which is a residence hall contract, it's dated 01:03:01</b></p> <p>15 <b>September 26th of 2014, specifying a room -- a 01:03:10</b></p> <p>16 <b>double room in the High Rise dormitory, room 01:03:16</b></p> <p>17 <b>number 1109.</b> 01:03:20</p> <p>18 <b>Ma'am, there has been other evidence in 01:03:24</b></p> <p>19 <b>this case indicating that Fatima changed her 01:03:27</b></p> <p>20 <b>residence from Andrews Hall to the High Rise in 01:03:31</b></p> <p>21 <b>September of 2014, about a month after she arrived 01:03:36</b></p> <p>22 <b>on campus. Were you aware of that?</b> 01:03:39</p> <p>23 A. No, sir. 01:03:40</p> <p>24 <b>Q. I'm sorry?</b> 01:04:00</p> <p>25 A. No. I wasn't aware of it. 01:04:02</p> <p style="text-align: right;">Page 49</p>                           |



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|---------|--|----------|---------|---|----------|
| 1       | <b>Q. Okay. Did Fatima tell you that she had</b>         | 01:04:04 | 1       | <b>August of 2014, Fatima's father, Nelson, drove her</b> | 01:10:53 |
| 2       | <b>decided to move from Andrews to High Rise?</b>        | 01:04:07 | 2       | <b>out to Nebraska and moved her into Andrews Hall,</b>   | 01:10:58 |
| 3       | <b>A. No, sir.</b>                                       | 01:04:09 | 3       | <b>and she started her career at Chadron State</b>        | 01:11:02 |
| 4       | <b>Q. Did you ever become aware that she was</b>         | 01:04:12 | 4       | <b>College.</b>   | 01:11:04 |
| 5       | <b>living in High Rise?</b>                              | 01:04:14 | 5       | <b>A. Yes, sir.</b>                                       | 01:11:05 |
| 6       | <b>A. No, sir.</b>                                       | 01:04:15 | 6       | <b>Q. All right. And my understanding is she</b>          | 01:11:05 |
| 7       | <b>MR. GOULD: Before or after her death?</b>             | 01:04:20 | 7       | <b>came home for Thanksgiving that year?</b>              | 01:11:08 |
| 8       | <b>Q. (By Mr. Johnson) Before her death.</b>             | 01:04:23 | 8       | <b>A. Yes, sir.</b>                                       | 01:11:11 |
| 9       | <b>A. No.</b>  | 01:04:23 | 9       | <b>Q. You recall that?</b>                                | 01:11:12 |
| 10      | <b>Q. Okay. So it was some time after she</b>            | 01:04:23 | 10      | <b>A. Yes.</b>  | 01:11:13 |
| 11      | <b>passed away that --</b>                               | 01:04:26 | 11      | <b>Q. And then did she go back to Chadron,</b>            | 01:11:15 |
| 12      | <b>A. Yes.</b>   | 01:04:27 | 12      | <b>between Thanksgiving and Christmas?</b>                | 01:11:18 |
| 13      | <b>Q. -- you learned that?</b>                           | 01:04:27 | 13      | <b>A. Yes.</b>  | 01:11:19 |
| 14      | <b>A. Yes, sir.</b>                                      | 01:04:27 | 14      | <b>Q. And then she came home again for</b>                | 01:11:20 |
| 15      | <b>Q. When did you first learn that Brandon</b>          | 01:04:28 | 15      | <b>Christmas?</b>   | 01:11:21 |
| 16      | <b>resided in the High Rise dormitory?</b>               | 01:04:31 | 16      | <b>A. Yes, sir.</b>                                       | 01:11:22 |
| 17      | <b>A. After her death.</b>                               | 01:04:35 | 17      | <b>Q. And then she came back in January to</b>            | 01:11:22 |
| 18      | <b>Q. Okay. All right. Did -- did you</b>                | 01:04:37 | 18      | <b>Chadron?</b>   | 01:11:26 |
| 19      | <b>understand that 19 is the age of majority in</b>      | 01:04:40 | 19      | <b>A. Correct.</b>  | 01:11:26 |
| 20      | <b>Nebraska?</b>   | 01:04:45 | 20      | <b>Q. Okay. Let's take those segments one at</b>          | 01:11:27 |
| 21      | <b>MR. GOULD: Object to form. Do you know</b>            | 01:04:47 | 21      | <b>a time. First, from the time Nelson dropped her</b>    | 01:11:30 |
| 22      | <b>what that means?</b>                                  | 01:04:49 | 22      | <b>off at Chadron till the day she came home for the</b>  | 01:11:33 |
| 23      | <b>Q. (By Mr. Johnson) Did anyone ever tell</b>          | 01:04:51 | 23      | <b>Thanksgiving break, you had numerous conversations</b> | 01:11:37 |
| 24      | <b>you that under Nebraska law an adult is defined</b>   | 01:04:52 | 24      | <b>with her by phone over that period of time. Right?</b> | 01:11:41 |
| 25      | <b>as a person 19 or older?</b>                          | 01:04:55 | 25      | <b>A. Yes.</b>  | 01:11:43 |
| Page 50 |  |          | Page 52 |   |          |
| 1       | <b>A. No.</b>  | 01:04:58 | 1       | <b>Q. Pretty much every day, either she would</b>         | 01:11:45 |
| 2       | <b>Q. Okay.</b>  | 01:04:59 | 2       | <b>call you or you would call her?</b>                    | 01:11:47 |
| 3       | <b>(Exhibit No. 511 is marked.)</b>                      | 01:05:17 | 3       | <b>A. Yes.</b>  | 01:11:49 |
| 4       | <b>Q. (By Mr. Johnson) And, lastly, on this</b>          | 01:05:17 | 4       | <b>Q. Did she tell you of any problems that she</b>       | 01:11:50 |
| 5       | <b>series, ma'am, I'd like to show you Exhibit No.</b>   | 01:05:18 | 5       | <b>was having in any of those calls during that --</b>    | 01:11:53 |
| 6       | <b>511, which is a third residence hall contract.</b>    | 01:05:20 | 6       | <b>that period from August to Thanksgiving?</b>           | 01:11:55 |
| 7       | <b>This one is dated January 8th of 2015, which is,</b>  | 01:05:25 | 7       | <b>A. Never.</b>  | 01:11:57 |
| 8       | <b>again, for the same unit as Exhibit 510, namely</b>   | 01:05:31 | 8       | <b>Q. Did she ever mention to you that she was</b>        | 01:11:59 |
| 9       | <b>-- excuse me. It's for a room in High Rise, but</b>   | 01:05:37 | 9       | <b>having any difficulties in her relationship with</b>   | 01:12:02 |
| 10      | <b>it changes the room from 1109 to 1108.</b>            | 01:05:41 | 10      | <b>Brandon?</b>   | 01:12:05 |
| 11      | <b>At any time prior to Fatima's death,</b>              | 01:05:45 | 11      | <b>A. No.</b>   | 01:12:05 |
| 12      | <b>were you made aware that she had again changed</b>    | 01:05:47 | 12      | <b>Q. Did she talk to you about Brandon during</b>        | 01:12:06 |
| 13      | <b>her room in January of 2015?</b>                      | 01:05:50 | 13      | <b>that time period?</b>                                  | 01:12:08 |
| 14      | <b>A. I'm sorry. I need a break right now.</b>           | 01:06:02 | 14      | <b>A. Some.</b>   | 01:12:13 |
| 15      | <b>Q. Okay. Sure.</b>                                    | 01:06:04 | 15      | <b>Q. What kinds of things would -- did she</b>           | 01:12:14 |
| 16      | <b>THE VIDEOGRAPHER: The time is 1:05 p.m.</b>           | 01:06:08 | 16      | <b>mention about Brandon during that time?</b>            | 01:12:16 |
| 17      | <b>We're now going off the record.</b>                   | 01:06:12 | 17      | <b>A. It was mostly me asking her how is Brandon</b>      | 01:12:18 |
| 18      | <b>(Brief recess.)</b>                                   | 01:10:19 | 18      | <b>doing, how is -- you know, how's school going for</b>  | 01:12:23 |
| 19      | <b>THE VIDEOGRAPHER: The time is 1:09 p.m.</b>           | 01:10:19 | 19      | <b>him?</b>   | 01:12:26 |
| 20      | <b>We are now going back on the record.</b>              | 01:10:22 | 20      | <b>Q. Okay. And did she always say fine?</b>              | 01:12:26 |
| 21      | <b>Q. (By Mr. Johnson) Ma'am, I sincerely</b>            | 01:10:28 | 21      | <b>A. Yes.</b>  | 01:12:29 |
| 22      | <b>appreciate your tolerance.</b>                        | 01:10:30 | 22      | <b>Q. All right. Did she ever indicate any</b>            | 01:12:29 |
| 23      | <b>A. Yes. Thank you.</b>                                | 01:10:33 | 23      | <b>problems that either he was having or she was</b>      | 01:12:31 |
| 24      | <b>Q. I want to try to break the time period</b>         | 01:10:44 | 24      | <b>having?</b>  | 01:12:34 |
| 25      | <b>in question up into a couple of segments. In late</b> | 01:10:47 | 25      | <b>A. No.</b>   | 01:12:34 |
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|         |   |          |         |   |          |
|---------|---|----------|---------|---|----------|
| 1       | <b>Q. All right. At any time between August of</b>      | 01:12:34 | 1       | <b>time?</b>  | 01:14:30 |
| 2       | <b>2014 and Thanksgiving of 2014, did she ever tell</b> | 01:12:40 | 2       | A. Very briefly.  | 01:14:35 |
| 3       | <b>you that she was having problems in -- in her</b>    | 01:12:44 | 3       | <b>Q. Anything any different than what she had</b>        | 01:14:36 |
| 4       | <b>relationship with Brandon?</b>                       | 01:12:47 | 4       | <b>said earlier?</b>                                      | 01:14:38 |
| 5       | A. No.  | 01:12:48 | 5       | A. No, just normal conversation.                          | 01:14:39 |
| 6       | <b>Q. Did she ever tell you that they had broken</b>    | 01:12:48 | 6       | <b>Q. All right. Did you and she talk about how</b>       | 01:14:42 |
| 7       | <b>up?</b>  | 01:12:51 | 7       | <b>she was doing academically?</b>                        | 01:14:45 |
| 8       | A. No.  | 01:12:51 | 8       | A. Yes.   | 01:14:49 |
| 9       | <b>Q. When she came home then at Thanksgiving,</b>      | 01:12:51 | 9       | <b>Q. What was your belief about that?</b>                | 01:14:49 |
| 10      | <b>was she home for like four days?</b>                 | 01:12:57 | 10      | A. Just like a normal parent, asking their                | 01:14:52 |
| 11      | A. Yes.   | 01:12:59 | 11      | kids --   | 01:14:57 |
| 12      | <b>Q. All right. Do you know whether Brandon</b>        | 01:13:01 | 12      | <b>Q. Sure.</b>   | 01:14:57 |
| 13      | <b>traveled with her coming home from Thanksgiving?</b> | 01:13:03 | 13      | A. -- how -- yes.   | 01:14:58 |
| 14      | A. No.  | 01:13:07 | 14      | <b>Q. Did she tell you, "I'm getting all A's",</b>        | 01:14:58 |
| 15      | <b>Q. All right. Did -- do you know whether</b>         | 01:13:08 | 15      | <b>or, "I'm getting pretty good" --</b>                   | 01:15:00 |
| 16      | <b>she saw Brandon in Monterey or the Monterey area</b> | 01:13:13 | 16      | A. No, normal. She's always been -- was a                 | 01:15:02 |
| 17      | <b>during that Thanksgiving break?</b>                  | 01:13:16 | 17      | good student and dedicated.                               | 01:15:05 |
| 18      | A. I don't remember asking her. Or I don't              | 01:13:21 | 18      | <b>Q. All right.</b>                                      | 01:15:09 |
| 19      | know.   | 01:13:25 | 19      | A. So --  | 01:15:09 |
| 20      | <b>Q. Do you remember seeing Brandon at your</b>        | 01:13:26 | 20      | <b>Q. When you say normal, is that like a 'B'</b>         | 01:15:09 |
| 21      | <b>house during the Thanksgiving break?</b>             | 01:13:29 | 21      | <b>average or 'A' average, or --</b>                      | 01:15:12 |
| 22      | A. I don't remember.                                    | 01:13:31 | 22      | A. 'B' and 'A'.   | 01:15:14 |
| 23      | <b>Q. Okay. Did you have a family Thanksgiving</b>      | 01:13:36 | 23      | <b>Q. Okay.</b>   | 01:15:15 |
| 24      | <b>dinner?</b>  | 01:13:41 | 24      | A. Yes.   | 01:15:15 |
| 25      | A. Yes.   | 01:13:42 | 25      | <b>Q. Did you actually see her grades?</b>                | 01:15:16 |
| Page 54 |   |          | Page 56 |   |          |
| 1       | <b>Q. Was that at your house?</b>                       | 01:13:42 | 1       | A. Yes.   | 01:15:19 |
| 2       | A. Yes.   | 01:13:43 | 2       | <b>Q. Did they come to your house?</b>                    | 01:15:20 |
| 3       | <b>Q. Did Brandon attend that?</b>                      | 01:13:44 | 3       | A. Yes.   | 01:15:21 |
| 4       | A. No.  | 01:13:45 | 4       | <b>Q. All right. Was that the case when she</b>           | 01:15:22 |
| 5       | <b>Q. Okay. So, then, at the end of the</b>             | 01:13:46 | 5       | <b>was at Austin Peay? Did the grades come to your</b>    | 01:15:26 |
| 6       | <b>Thanksgiving break, Fatima flew back to Chadron;</b> | 01:13:51 | 6       | <b>house?</b>   | 01:15:29 |
| 7       | <b>correct?</b>   | 01:13:55 | 7       | A. Yes.   | 01:15:30 |
| 8       | A. Yes.   | 01:13:55 | 8       | <b>Q. How did she do there?</b>                           | 01:15:30 |
| 9       | <b>Q. Did you take her to the airport?</b>              | 01:13:55 | 9       | A. Pretty good.   | 01:15:32 |
| 10      | A. No. Nelson did.                                      | 01:13:59 | 10      | <b>Q. Okay.</b>   | 01:15:35 |
| 11      | <b>Q. All right. Do you know whether she</b>            | 01:14:00 | 11      | A. She did good.  | 01:15:35 |
| 12      | <b>traveled with Brandon going back to Chadron?</b>     | 01:14:02 | 12      | <b>Q. We looked a little bit yesterday at her</b>         | 01:15:38 |
| 13      | A. I don't know.  | 01:14:07 | 13      | <b>grades at Austin Peay, and her grade point average</b> | 01:15:41 |
| 14      | <b>Q. All right. So then about three weeks</b>          | 01:14:08 | 14      | <b>was higher the first semester than the second. Do</b>  | 01:15:44 |
| 15      | <b>later, she came home for the Christmas break?</b>    | 01:14:11 | 15      | <b>you remember that?</b>                                 | 01:15:45 |
| 16      | A. Yes.   | 01:14:14 | 16      | A. I don't remember, no.                                  | 01:15:49 |
| 17      | <b>Q. All right. For that three week period</b>         | 01:14:14 | 17      | <b>Q. Okay. So she comes home for Christmas.</b>          | 01:15:53 |
| 18      | <b>between Thanksgiving and Christmas, when she was</b> | 01:14:17 | 18      | <b>Do you know whether or not she traveled home from</b>  | 01:15:57 |
| 19      | <b>in Chadron, you continued to talk to her on</b>      | 01:14:19 | 19      | <b>Chadron with Brandon for the Christmas break?</b>      | 01:15:59 |
| 20      | <b>almost a daily basis?</b>                            | 01:14:22 | 20      | A. I don't know.  | 01:16:02 |
| 21      | A. Yes.   | 01:14:23 | 21      | <b>Q. All right. Did you pick her up?</b>                 | 01:16:05 |
| 22      | <b>Q. Did she mention any problems that she was</b>     | 01:14:24 | 22      | A. I don't remember who picked her up for                 | 01:16:12 |
| 23      | <b>having during that time?</b>                         | 01:14:26 | 23      | Christmas break.  | 01:16:15 |
| 24      | A. Not at all.  | 01:14:27 | 24      | <b>Q. Where did she stay when she came home for</b>       | 01:16:15 |
| 25      | <b>Q. Did she talk about Brandon during that</b>        | 01:14:28 | 25      | <b>Christmas?</b>   | 01:16:17 |
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|   |   |
|---|---|
| <p>1 A. In my house. 01:16:18</p> <p>2 Q. And she stayed at your house for 01:16:18</p> <p>3 Thanksgiving, also? 01:16:20</p> <p>4 A. Yes. 01:16:21</p> <p>5 Q. So was she home for about three weeks? 01:16:23</p> <p>6 A. Yes. 01:16:24</p> <p>7 Q. Did -- to your knowledge, did she see 01:16:27</p> <p>8 Brandon during that time? 01:16:29</p> <p>9 A. Yes, a couple of times. 01:16:33</p> <p>10 Q. Was he at your house during that time? 01:16:35</p> <p>11 A. Yes. 01:16:37</p> <p>12 Q. How often? 01:16:38</p> <p>13 A. How often? I don't recall. All I remember 01:16:40</p> <p>14 it was a couple of times -- 01:16:43</p> <p>15 Q. Okay. 01:16:44</p> <p>16 A. -- during that period of time. 01:16:45</p> <p>17 Q. And did there seem to be any issues or 01:16:46</p> <p>18 problems between the two of them from your 01:16:49</p> <p>19 perspective at that time? 01:16:51</p> <p>20 A. Not at all. They both looked normal and 01:16:52</p> <p>21 yeah, happy. 01:16:57</p> <p>22 Q. And up -- let's take it up to the point 01:16:58</p> <p>23 in time when Fatima left after Christmas to go 01:17:03</p> <p>24 back to Chadron. Had she told you that -- any 01:17:05</p> <p>25 kind of problems she was having at Chadron 01:17:09</p> <p style="text-align: right;">Page 58</p>                       | <p>1 Q. Did you ask her if she was drinking while 01:18:24</p> <p>2 she was in school, or what -- what was the 01:18:27</p> <p>3 conversation? 01:18:31</p> <p>4 A. I didn't ask her specifically if she was 01:18:32</p> <p>5 drinking, because till today it's hard for me to 01:18:36</p> <p>6 believe that she was drinking. 01:18:40</p> <p>7 Q. Why do you say that? 01:18:42</p> <p>8 A. Why? 01:18:44</p> <p>9 Q. Uh-hum. 01:18:45</p> <p>10 A. Because I want to think that I knew my 01:18:45</p> <p>11 kids. 01:18:49</p> <p>12 Q. I know. 01:18:50</p> <p>13 A. And that it's something that I -- we 01:18:50</p> <p>14 always talked about it, you know. 01:18:52</p> <p>15 Q. So -- 01:18:54</p> <p>16 A. That -- you know, how dangerous alcohol 01:18:55</p> <p>17 is, and for their safety. 01:18:59</p> <p>18 Q. And for you as her mother, it was 01:19:02</p> <p>19 inconceivable that she would be having a problem 01:19:06</p> <p>20 with drinking. 01:19:09</p> <p>21 MR. GOULD: Object to form. 01:19:11</p> <p>22 Q. (By Mr. Johnson) Is that a -- a fair 01:19:12</p> <p>23 statement? 01:19:19</p> <p>24 A. Yeah, I don't believe that. 01:19:19</p> <p>25 Q. Okay. Did you ever talk with her about 01:19:20</p> <p style="text-align: right;">Page 60</p> |
| <p>1 whatsoever? 01:17:12</p> <p>2 A. None at all. 01:17:12</p> <p>3 Q. She didn't tell you she had any health 01:17:13</p> <p>4 problems, any emotional problems? 01:17:16</p> <p>5 A. No. 01:17:18</p> <p>6 Q. Any dating problems? 01:17:18</p> <p>7 A. No. 01:17:20</p> <p>8 Q. All right. Did you see anything about 01:17:20</p> <p>9 her on either the Thanksgiving visit or Christmas 01:17:24</p> <p>10 visit that gave you any concern or cause for 01:17:27</p> <p>11 concern? 01:17:33</p> <p>12 A. Not at all. She was just that same 01:17:33</p> <p>13 person, a happy kid, spending time with family 01:17:37</p> <p>14 members, friends. She made time for everybody, 01:17:43</p> <p>15 to see everybody -- 01:17:47</p> <p>16 Q. Okay. 01:17:47</p> <p>17 A. -- and, yeah, just normal. 01:17:48</p> <p>18 Q. All right. And you didn't see anything 01:17:50</p> <p>19 about her physically that caused you any concerns? 01:17:52</p> <p>20 A. No. 01:17:56</p> <p>21 Q. Okay. At -- at any time that Fatima was 01:17:59</p> <p>22 at Chadron, did you talk to her at all about alcohol 01:18:08</p> <p>23 or drinking? 01:18:12</p> <p>24 A. Not when she was there, but when she was 01:18:19</p> <p>25 here on vacation I always talked to her. 01:18:21</p> <p style="text-align: right;">Page 59</p> | <p>1 marijuana or recreational drugs? 01:19:25</p> <p>2 A. Sometimes. 01:19:29</p> <p>3 Q. Was it the same kind of thing, how 01:19:30</p> <p>4 dangerous it is? 01:19:33</p> <p>5 A. Yes. 01:19:33</p> <p>6 Q. Did you ever have a concern that she was 01:19:35</p> <p>7 doing that? 01:19:38</p> <p>8 A. No. 01:19:39</p> <p>9 Q. Did she strike you as the kind of kid 01:19:41</p> <p>10 that that just wasn't an issue with? 01:19:45</p> <p>11 A. No. 01:19:47</p> <p>12 Q. I mean, was that something you didn't 01:19:48</p> <p>13 worry about because of who she was? I'm trying to 01:19:50</p> <p>14 get a feel for it. 01:19:53</p> <p>15 A. No. I knew she -- she was a very smart, 01:19:56</p> <p>16 intelligent girl and knew, you know, the drugs 01:20:03</p> <p>17 and alcohol affects, you know. 01:20:10</p> <p>18 Q. Yes. 01:20:13</p> <p>19 A. So -- 01:20:14</p> <p>20 Q. So she was one of those kids where you felt 01:20:15</p> <p>21 like, "I don't need to worry about her doing that 01:20:18</p> <p>22 kind of thing because that's not her"? 01:20:21</p> <p>23 A. Exactly, yes. 01:20:24</p> <p>24 Q. Okay. Had Fatima lived in the dormitory 01:20:25</p> <p>25 when she was at Austin Peay? 01:21:00</p> <p style="text-align: right;">Page 61</p>  |

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**Lissette Roohbakhsh**  
**February 8, 2018**

COURT REPORTER'S CERTIFICATE

I, YVETTE GALLARDO, CSR No. 12889,  
Certified Shorthand Reporter, certify;

That the foregoing deposition was  
had before me at the time and place therein set.


That the testimony of the witness, the  
questions propounded, and all objections and  
statements made at the time of the examination  
were recorded stenographically by me and were  
thereafter transcribed;

That the foregoing is a true and correct  
transcript of my shorthand notes so taken.

I further certify that I am not a relative  
or employee of any attorney of the parties, nor  
financially interested in the action.

I declare under penalty of perjury under  
the laws of California that the foregoing is true  
and correct.

Dated this 26TH day of FEBRUARY, 2018.

  
\_\_\_\_\_  
YVETTE GALLARDO, No. 12889